



## Senate

General Assembly

**File No. 325**

February Session, 2002

Substitute Senate Bill No. 380

*Senate, April 4, 2002*

The Committee on Government Administration and Elections reported through SEN. FONFARA of the 1st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT AUTHORIZING A DEMONSTRATION PROJECT FOR THE USE OF ELECTRONIC EQUIPMENT FOR THE CASTING AND COUNTING OF BALLOTS AND PROHIBITING THE USE OF PUNCH-CARD VOTING MACHINES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) Notwithstanding any  
2       provision of title 9 of the general statutes, the Secretary of the State  
3       may authorize, as a demonstration project, the use of electronic  
4       equipment for the casting and counting of ballots at elections in 2002 in  
5       at least three towns, if sufficient numbers of electronic voting machines  
6       can be acquired, provided (1) (A) the legislative body of any such town  
7       or, in the case of a town in which the legislative body is a town  
8       meeting, the board of selectmen, and (B) the registrars of the town  
9       approve the use of such equipment, and (2) the Secretary of the State  
10      prescribes specifications for (A) the security, testing, set-up, operation  
11      and canvassing of the equipment, (B) the ballots used for the

12 equipment, and (C) the training of election officials in the use of the  
13 equipment. No voting machine that records votes by means of holes  
14 punched in designated voting response locations may be used at any  
15 election under this section. The State Elections Enforcement  
16 Commission may solicit and use volunteers to conduct an exit poll of  
17 electors concerning their experience using the voting equipment.  
18 Notwithstanding the provisions of section 9-236 of the general statutes,  
19 the Secretary of the State may allow the volunteers to conduct such  
20 poll within the radius of seventy-five feet of any outside entrance in  
21 use as an entry to any polling place established in said section 9-236,  
22 provided the volunteers maintain a minimum distance specified by the  
23 Secretary. Not later than January 1, 2003, each town that uses such  
24 equipment shall submit a report on such use to the Secretary of the  
25 State. The report shall include the results of any exit poll regarding  
26 elector use of the electronic equipment. Not later than February 1,  
27 2003, the Secretary of the State shall submit a summary of such reports  
28 and recommendations concerning the use of such equipment to the  
29 joint standing committee of the General Assembly having cognizance  
30 of matters relating to elections, in accordance with section 11-4a of the  
31 general statutes.

32 Sec. 2. Section 9-241 of the general statutes is repealed and the  
33 following is substituted in lieu thereof (*Effective from passage*):

34 Any person owning or holding an interest in any voting machine, as  
35 defined in subsection (w) of section 9-1, may apply to the Secretary of  
36 the State to examine such machine and report on its accuracy and  
37 efficiency. The Secretary of the State shall examine the machine and  
38 determine whether, in [his] the Secretary's opinion, the kind of  
39 machine so examined meets the requirements of section 9-242 and can  
40 be used at elections, primaries and referenda [under] held pursuant to  
41 this title. If the Secretary of the State determines that the machine can  
42 be so used, such machine may be adopted for such use. No machine  
43 not so approved shall be so used. Each application shall be  
44 accompanied by a fee of one hundred dollars and the Secretary of the  
45 State shall not [give his approval of] approve any machine until such

46 fee and the expenses incurred by [him] the Secretary in making the  
47 examination have been paid by the person making such application.  
48 Any voting machine company [which] that has had its voting machine  
49 approved and [which] that subsequently alters such machine in any  
50 way [,] shall provide the Secretary of the State with notice of such  
51 alterations, including a description thereof and a statement of the  
52 purpose of such alterations. If any such alterations appear to materially  
53 affect the accuracy, appearance or efficiency of the machine, or modify  
54 the machine so that it can no longer be used at elections, primaries or  
55 referenda [under] held pursuant to this title, at the discretion of the  
56 Secretary of the State, the company shall submit such alterations for  
57 inspection and approval, at its own expense, before such altered  
58 machines may be used. The Secretary of the State may adopt  
59 regulations in accordance with the provisions of chapter 54 concerning  
60 examination and approval of voting machines under this section. No  
61 voting machine that records votes by means of holes punched in  
62 designated voting response locations may be approved or used at any  
63 election, primary or referendum held pursuant to this title.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>

**GAE**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

### ***OFA Fiscal Note***

#### ***State Impact:***

<b>Fund-Type</b>	<b>Agency Affected</b>
GF - None	Secretary of the State; Elect. Enforcement Com.

Note: GF=General Fund

#### ***Municipal Impact:***

<b>Effect</b>	<b>Municipalities</b>
None	Various Municipalities

### ***Explanation***

This bill permits the Office of the Secretary of State to conduct a demonstration project using electronic voting machines in at least three towns during the 2002 election. It permits the State Elections Enforcement Commission (SEEC) to conduct an exit poll, staffed by volunteers, to solicit voters' reactions to electronic voting machines.

It is anticipated that the Office of the Secretary of the State will be able to implement the provisions of the bill within existing budgetary resources, as voting machine vendors are expected to lend electronic voting machines for use during the demonstration project.

It is anticipated that SEEC will not incur costs to recruit, train and use volunteers to conduct the exit poll. It is expected that SEEC can develop and print exit poll surveys and compile a report of the exit poll results within available appropriations.

Passage of this bill will result in no fiscal impact to municipalities, as towns will volunteer to participate in the demonstration project to the extent there are available budgetary resources.

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**OLR Bill Analysis**

sSB 380

***AN ACT AUTHORIZING A DEMONSTRATION PROJECT FOR THE USE OF ELECTRONIC EQUIPMENT FOR THE CASTING AND COUNTING OF BALLOTS AND PROHIBITING THE USE OF PUNCHCARD VOTING MACHINES*****SUMMARY:**

This bill permits the secretary of the state to conduct a demonstration project using electronic voting machines in at least three towns at the 2002 election. It authorizes the State Elections Enforcement Commission (SEEC) to conduct an exit poll to solicit voters' reactions to the electronic machines. It requires participating towns to report to the secretary after the election and the secretary to report to the legislature on the demonstration project.

The bill prohibits the secretary from approving, and bans the use of, punch card voting machines at any election, primary, or referendum held in the state.

EFFECTIVE DATE: Upon passage

**CONDITIONS FOR THE DEMONSTRATION**

A town can participate in the pilot program if its registrars of voters and legislative body approves (or the board of selectmen, in a town where the town meeting is the legislative body). The secretary must be able to acquire a sufficient number of electronic voting machines and prescribe specifications for them. She must set specifications for:

1. their security, testing, set-up, operation, and canvassing;
2. the ballots; and
3. election officials' training.

She cannot approve use of a punch card-type machine.

**EXIT POLLS**

The bill permits the SEEC to conduct an exit poll to solicit information on voters' experience using the electronic machines. It allows the commission to use volunteers for the poll, who can be within the 75-foot restricted area around a polling place entrance but outside a minimum distance that the secretary sets.

## **REPORTS**

By January 1, 2003, each participating town must report to the secretary on the demonstration, including the exit poll results. By February 1, 2003, the secretary must send a summary of those reports along with recommendations on electronic voting machines to the Government Administration and Elections Committee.

## **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 17      Nay 2